

FEB 14 2007

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LADAS & PARRY LLP

Application Serial No. 10/706,749  
Information Disclosure Statement

PATENT  
Docket: CU-3447

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application: Hitoshi FURUYA et al.

Serial No: 10/706,749

Filed: November 12, 2003

For: Disk Apparatus

] GRP ART UNIT: 2627

] Ex.: Kayrish, Matthew


] ]

**Certification under 37 C.F.R. §1.8(a)**

The USPTO Central Fax No. (571) 273-8300

Date of Fax Transmittal: February 14, 2007

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted to the United States Patent and Trademark Office to the fax number and on the date indicated above.

  
\_\_\_\_\_  
Nick Kubacki

THE COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT AFTER  
MAILING DATE OF FINAL ACTION OR NOTICE OF ALLOWANCE  
BUT BEFORE PAYMENT OF ISSUE FEE (37 CFR 1.97 (d))**

This information disclosure statement submitted herewith is being filed after the mailing date of a final Office action under § 1.113 or a notice of allowance under § 1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee.

**CERTIFICATION, PETITION AND FEE**

In accordance with the requirement of 37 CFR 1.97(d), accompanying this transmittal is a **certification** as specified in 37 CFR 1.97(e). Applicants hereby petition for the consideration of the accompanying information disclosure statement. 37 CFR

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1.97(d)(ii). The Commissioner is authorized to charge \$180.00 to cover the fee set forth in §1.17(p). The Commissioner is also authorized to charge any other required fees to our Deposit Account No. 12-0400.

Date: February 14, 2007

  
\_\_\_\_\_  
Joseph P. Krause, Reg. No. 32,578  
Ladas & Parry  
224 South Michigan Avenue  
Chicago Illinois 60604  
Tel. No. (312) 427-1300

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**CERTIFICATION FOR INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97 (e)**

This certification is being made for the Information Disclosure Statement

☒ accompanying this certification **OR**  
☐ filed \_\_\_\_\_.

I, the person signing below certify that

☒ each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. 37 CFR 1.97(e)(1); **OR**

☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of the statement. 37 CFR 1.97(e)(2).

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The person making this certification is

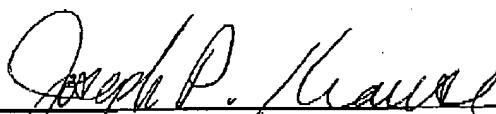
- (a) ☐ the inventor(s) who signs below

\_\_\_\_\_  
Signature of inventor

\_\_\_\_\_  
(type name of inventor who is signing)

- (b) ☒ the attorney who signs below on the basis of the information  
☐ supplied by the inventor(s),  
☒ supplied by an individual designated in §1.56(c); or  
☐ in the attorney's file.

Date: February 14, 2007

  
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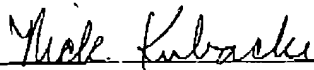
] Ex.: Kayrish, Matthew

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]**Certification under 37 C.F.R. §1.8(a)**

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\_\_\_\_\_  
Nick Kubacki

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P.O. Box 1450  
Alexandria, VA 22313-1450

02/16/2007 AWONDAF1 00000001 120400 10706749  
01 FC:1806 100.00 DA

**INFORMATION DISCLOSURE STATEMENT**

Applicants submit herewith patents, publications or other information of which the applicants are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose under 37 CFR 1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

The references submitted herein are listed on PTO-1449 form (modified) enclosed herewith. A copy of each reference listed is being furnished except any duplicate or cumulative patents or publications specified otherwise.

A translation of any foreign language reference, if any, is indicated in PTO-1449 form and being submitted herein if it is readily available. Otherwise it should be construed that such translation is not readily available.

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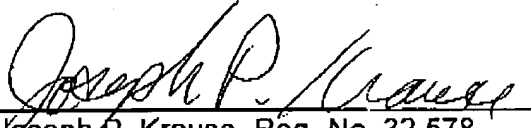
PATENT  
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No paper copies of the U.S. patent references identified in this IDS, if any, are submitted herewith as they are no longer required by the USPTO rules. Only the copies of foreign patent and/or other relevant publication references are submitted herewith.

Also submitted herein is a copy of the European Search Report which satisfies the requirement for a translation or concise explanation of any non-English reference cited therein, as provided in MPEP §609 A(3).

Respectfully submitted,

Date: February 14, 2007

  
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Form PTO-1449 (Modified)

FORM PTO-1449	ATTY. DOCKET NO. CU-3447	SERIAL NO. 10/706,749
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (37 CFR 1.98(b))	Applicant Hitoshi FURUYA et al.	
	FILING DATE November 13, 2003	GROUP 2627

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	PATENT DOCUMENT	ISSUE/PUB DATE	PATENTEE	CLASS	SUB- CLASS	FILING DATE
	5,995,478	11/30/99	Park			
	5,768,248	06/16/98	Lee			
	2001/005356	06/28/01	Park			

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

EXAMINER INITIAL	DOCUMENT NUMBER	PUBL. DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB- CLASS	TRANSLATION YES NO

OTHER DOCUMENTS (Including Author, Title, Date, Place of publication)

			European Search Report
EXAMINER			DATE CONSIDERED
EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			

(Form PTO-1449)